



PATENT

Customer No. 39,878

Attorney Docket No. 00021.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Hugh Semple MUNRO et al.) Group Art Unit: 3761
)
 Application No.: 10/507,322) Examiner: Unknown
)
 Filed: June 21, 2005)
)
 For: ABSORBENT HYDROGELS)
)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

REQUEST FOR REVIEW OF ACCOUNTING

In reviewing our files, we have noticed some accounting mistakes. Mr. Jay Stelacone filed the present application on September 10, 2004, with a Preliminary Amendment presenting a total of 45 claims, 10 of which are independent. The total filing fees should have been calculated as follows:

The International Search Report was prepared by the EPO.	\$920.00
Extra Claims Fees (25 x \$18) + (7 x \$86) = \$450 + \$602 =	<u>\$1052.00</u>
TOTAL	\$1972.00

Mr. Stelacone did not pay for any filing fees at the time of filing and did not request that these fees be charged to our deposit account. Moreover, Mr. Stelacone did not indicate that the applicants were entitled to small entity status. A copy of the Application Transmittal is attached hereto.

On January 21, 2005, our Deposit Account was *impermissibly* charged the following fees:

2613 (We presume Search Report prepared by EPO)	\$460.00
2615 Claims over 20	\$225.00
2614 Independent claims over 3	<u>\$301.00</u>
TOTAL	\$986.00

As can be seen, the PTO charged the Deposit Account the small entity fees for the filing fees. A copy of our Deposit Account statement is attached hereto.

Moreover, on January 24, 2005, we received a Notification of Missing Requirements indicating that the Applicants were entitled to Small Entity Status, that U.S. Basic National Fees filed on September 10, 2004, had been received, and requesting payment of \$65.00 for a late oath or declaration surcharge. All of these statements are in error. A copy of Notification is attached hereto.

At no time have the Applicants indicated that they are entitled to small entity status. Moreover, as discussed above, the filing fees were not paid on September 10, 2004, but were impermissibly charged to our Deposit Account on January 21, 2005. Because, the Applicants are not entitled to small entity status, the surcharge for the late Declaration should have been \$130.00.

On June 21, 2005, Mr. Brian Burn filed a Response to the Notification requesting correction of the small entity status and providing the Declaration. Mr. Burn also provided a check in the amount of \$680.00 (\$130.00 Late Declaration Surcharge Fee, \$510 Petition for Extension of Time, and \$40 Assignment Recordation Fee). Mr. Burn inadvertently paid the small entity fee of \$510 for a three-month extension of time instead of the correct fee of \$1020.00. A copy of the Transmittal is attached hereto.

Further compounding the accounting problem, the PTO credited our Deposit Account \$65.00 on March 17, 2006. A copy of this Deposit Account Statement is attached hereto.

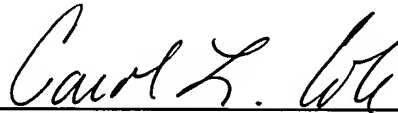
In order to resolve this issue, we believe that fees totaling \$1,561.00 (\$986.00 for the remainder of the large entity filing fees, \$510 for the remainder of the large entity extension of time fee, and \$65 credit for the large entity late Declaration surcharge) are due to the USPTO. A check for this amount is enclosed.

Again, we reiterate that Applicants are not entitled to small entity status and immediate correction is requested.

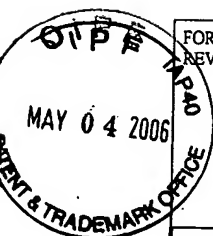
Respectfully submitted,

Dated:

By:



Carol L. Cole
Reg. No. 43,555



FORM PTO-1390
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

CUSTOMER NO. 39,878
ATTORNEY'S DOCKET NUMBER

0021.0002

U.S. APPLICATION NO.
(If known, see 37CFR1.5)

INTERNATIONAL APPLICATION NO.

PCT/GB03/01014

INTERNATIONAL FILING DATE

11 March 2003

PRIORITY DATE CLAIMED

11 March 2002

TITLE OF INVENTION

Absorbent Hydrogels

APPLICANT(S) FOR DO/EO/US

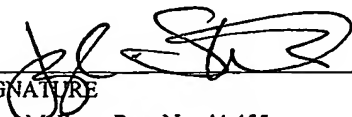
Hugh Semple Munro; Richard Hoskins; Susana Sainz Garcia; Helen Poyner

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☐ Other items or information:
 - a. ☐ Copy of cover page of International Publication No.
 - b. ☐ Copy of Notification of Missing Requirements.
 - c. ☐

U.S. APPLICATION NO. (If known, see 37CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/GB03/01014		ATTORNEY'S DOCKET NUMBER 0021.0002	
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) \$100.00 <div style="text-align: right; margin-right: 50px;">920.00</div>				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1080.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	45	- 20 =	25	x \$18.00	\$450.00
Independent Claims	10	- 3 =	7	x \$86.00	\$602.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$290.00	\$
TOTAL OF THE ABOVE CALCULATIONS =				\$2132.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$2132.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$	
TOTAL NATIONAL FEE =				\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
TOTAL FEES ENCLOSED =				\$00.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ 00.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
SEND ALL CORRESPONDENCE TO: Brian M. Burn, Esq. Min, Hsieh & Hack LLP c/o FoundationIP P.O. Box 52050 Minneapolis, MN 55402					
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 40%;">  SIGNATURE Brian M. Burn, Reg. No. 44,455 Jay A. Stelacone, Reg. No. 42,168 </div> <div style="width: 50%; border-top: 1px solid black; padding-top: 5px;"> NAME/REGISTRATION NO. </div> </div>					
DATED: September 10, 2004					

**United States
Patent and
Trademark Office**

Return To:

USPTO
Home
PageFinance
Online
Shopping
Page**Deposit Account Statement**

Requested Statement Month: January 2005
Deposit Account Number: 502961
Name: MIN, HSIEH & HACK LLP
Attention: DONALD MIN
Address: 8270 GREENSBORO DRIVE, SUITE 630
City: MCLEAN
State: VA
Zip: 22102
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
------	-----	--------------------	---------------------------	-------------	-----	-----

01/21	1	10507322	2613	2613	\$460.00	
01/21	2	10507322	2615	2615	\$225.00	
01/21	3	10507322	2614	2614	\$301.00	

2631 typo?

claimant 20
indep. over 3

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$	\$	\$	\$

[Need Help?](#) | [USPTO Home Page](#) | [Finance Online Shopping Page](#)



UNITED STATES PATENT AND TRADEMARK OFFICE

8026.088US1 MPTA

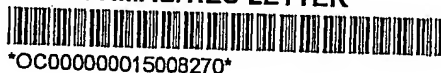
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,322	Hugh Semple Munro	0021.0002

39878
MIN, HSIEH & HACK LLP
8270 GREENSBORO DRIVE
SUITE 630
MCLEAN, VA 22102

INTERNATIONAL APPLICATION NO.	
PCT/GB03/01014	
LA. FILING DATE	PRIORITY DATE
03/11/2003	03/11/2002

CONFIRMATION NO. 4121
371 FORMALITIES LETTER



OC000000015008270

Date Mailed: 01/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Preliminary Amendments filed on 09/10/2004
- Request for Immediate Examination filed on 09/10/2004
- U.S. Basic National Fees filed on 09/10/2004
- Priority Documents filed on 09/10/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

Resp Due 3/24/05 ✓

✓
F#

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,322	PCT/GB03/01014	0021.0002

FORM PCT/DO/EO/905 (371 Formalities Notice)



8270 Greensboro Drive, Suite 630 • McLean, VA 22102

703.917.0000 P • 703.997.4905 F • www.mh2law.com

CERTIFICATE UNDER 37 CFR § 1.10 OF
MAILING BY "EXPRESS MAIL"

ED 662692325

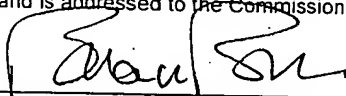
June 21, 2005

USPS Express Mail Label Number

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:


Brian M. Burn, Reg. No. 44,455

June 21, 2005

ATTORNEY DOCKET NO.: 0021.0002
CUSTOMER NO. 39,878

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

U.S. National Stage Appl'n No. 10/507,322
PCT/GB03/01014
IA Filed: March 11, 2003
Title: Absorbent Hydrogels
Inventor: Hugh MUNRO et al.

Sir:

We enclose the following papers for filing in the United States Receiving Office in connection with the above U.S. national stage patent application.

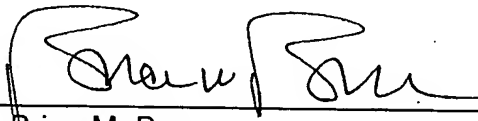
1. Response to Notification of Missing Requirements (2 pages)
2. Copy of the Notification of Missing Requirements (2 pages)
3. Petition for a Three Month Extension of Time (1 page)
4. Request for Correction of Entity Status (1 page)

5. Declaration/Power of Attorney (3 pages)
6. Assignment Document and Assignment Recordation Form Coversheet (3 pages)
7. Check No. 2496 in the amount of \$680 (\$130 Late Declaration Surcharge Fee, \$510 Petition for Extension of Time Fee, and \$40 Assignment Recordation Fee).

Please direct all telephone calls to Applicant's undersigned counsel at 703.917.0000, Ext. 107.

The Commissioner is hereby authorized to charge any additional filing fees due and any other fees due under 37 C.F.R. § 1.16 or §1.17 during the pendency of this application to our Deposit Account No. 50-2961.

Respectfully submitted,

By: 
Brian M. Burn
Reg. No. 44,455



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

MIN, HSIEH & HACK LLP
DONALD MIN
8270 GREENSBORO DRIVE, SUITE 630
MCLEAN VA 22102

FINA

Account No.	502961
Date	3-31-06
Page	1

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
3	17	06	11	10507322	per Tim, Billed	9204	-65.00	
<div>Received APR 21 2006 MIN, HSIEH & HACK LLP</div>								
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE

*** O.D. INDICATES OVERDRAWN